

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
CABLE FIRST CONSTRUCTION, INC.,	:	
	:	
Plaintiff,	:	<u>ORDER REGULATING</u>
	:	<u>PROCEEDINGS</u>
-against-	:	20 Civ. 6679 (AKH)
	:	
LEPETIUK ENGINEERING,	:	
	:	
Defendant.	:	
	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

On October 13, 2023, I held a status conference with the parties. The parties shall, by November 30, 2023, serve on each other their documentary proofs on the issues for trial.

For Plaintiff, this proof will be of damages from Defendant's breach of the non-compete clause, identifying the lost opportunities and lost profits from those opportunities. This proof will also include identification in support of the \$300,000 claim that Plaintiff suffered damage from the subpar performance by the Defendant in violation of their contract, as well as proof of contemporaneous protestations about this performance. This proof will also include an itemization of stolen equipment, when that equipment was purchased, and the reasonable value of the equipment.

For Defendant, this proof will be an itemization of the unpaid invoices and the dates of payments due. As to the claim for destroyed property, Defendant is to provide identification of the property and when it was destroyed.

The parties shall appear for a remote status conference on December 8, 2023 at
10:00 a.m.

SO ORDERED.

Dated: October 13, 2023
 New York, New York

/s/ Alvin K Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge